

IN THE CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

ARTIE DESPORTE

VS.

SEAN DESPORTE

PLAINTIFF

CAUSE NO.

DEFENDANT



COMPLAINT

COMES NOW Plaintiff Artie Desporte and files this his Complaint against Defendant Sean Desporte as follows:

1. Plaintiff Artie Desporte is an adult resident citizen of the Second Judicial District of Harrison County, Mississippi.
2. Defendant Sean Desporte is an adult resident citizen of the Second Judicial District of Harrison County, Mississippi.
3. Plaintiff and Defendant each own fifty percent of the shares of Desporte and Sons Seafood, Inc. which is a Mississippi Corporation with its principal office in the Second Judicial District of Harrison County, Mississippi.
4. The Court has jurisdiction of the subject matter and the parties.
5. Pursuant to Section 79-4-7.48 Mississippi Code Plaintiff is entitled to an injunction against Defendant to preserve the corporate assets and potentially appoint a temporary custodian to carry on the business of the corporation until a full hearing is held.

6. Management of the corporation is deadlocked in conducting the corporate affairs of Desporte and Sons Seafood, Inc., the shareholders are unable to break the deadlock, and irreparable injury to the corporation is threatened and being suffered.

7. Defendant's conduct in operating and attempting to operate the corporation is causing injury to the corporation.

8. Plaintiff is entitled to an accounting from Defendant to determine the assets, worth, income, expenses, and debt of Desporte and Sons Seafood, Inc. and to determine what funds have been paid by the corporation to Defendant.

9. Plaintiff is entitled to conduct discovery and to an order from the Court compelling Defendant to reveal his banking relationships, including names and addresses of banks and bank account numbers, to determine what funds have been paid by Desporte and Sons Seafood, Inc. to Defendant.

WHEREFORE, Plaintiff sues Defendant and requests the Court to enter an injunction against Defendant to preserve the assets of Desporte and Sons Seafood, Inc. preliminary to a decision on whether to appoint a temporary custodian to carry on the business of Desporte and Sons Seafood, Inc. until a full hearing is held; to order an accounting from Defendant to determine the assets, worth, income, expenses, and debt of Desporte and Sons Seafood, Inc. and to determine what funds have been paid by the corporation to the Defendant; and to an order compelling a deposition of and discovery from Defendant revealing his banking relationships, including names and addresses of banks and bank account numbers, to determine what funds have been paid by Desporte and Sons Seafood, Inc. to Defendant; and if mistaken in the relief sought, Plaintiff


requests such other, further and general relief as in equity he may be entitled to receive; with attorney's fees and costs of Court awarded to Plaintiff.

RESPECTFULLY SUBMITTED, this the 5th day of June, 2018.

ARTIE DESPORTE, Plaintiff

HAGWOOD ADELMAN TIPTON, P.C.

BY:


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